

108. (New) A computer program product comprising a computer storage medium having a computer program therein for adding data identifying products purchased by a consumer in association with data uniquely identifying said consumer in a database, said computer program performing the steps of:

determining retail store purchased products purchased in a retail store in association with a unique identity code;

storing data identifying said store purchased products in association with said unique identity code in said database;

determining network purchased products purchased via a communication over a computer network in association with said unique identity code; and

storing data identifying said network purchased products in association with said unique identify code in said database.

109. (New) The computer program product of claim 108, wherein said computer network comprises one of an intranet and the Internet.

110. (New) The computer program product of claim 109, wherein said computer network is the Internet and purchase of said purchased products occurs via interaction with a web page.--

REMARKS

Favorable reconsideration of the present application in light of the above amendment and in light of the following discussion is respectfully requested.

Claims 32-110 are presented for examination in this application. Claims 1-31 are cancelled and new Claims 32-110 presented and correspond to subject matter from cancelled Claims 1-31, wherein Claims 32, 43, 56, 58, 69, 82, 84, 95 and 108 are independent claims.

In the present Office Action, Claims 28-31 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter; and Claims 28-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over O'Brien et al (EP 0512509A2) in view of "SLED internet directories ..." ("SLED").

First, Applicants wish to thank the Examiner for the personal interview on February 3, 1999. During the interview, the outstanding issues in the present case, the claims as substantially submitted herewith, and the arguments as substantially presented herewith were discussed.

The present amendment adds new Claims 32-110 based on subject matter from cancelled Claims 1-31 and Applicants' disclosure as filed. Applicants submit that no new matter has been introduced (see, e.g., original Claims 1-31, and Applicants' disclosure page 22, line 2 to page 23, line 22 with respect to Claim 32, page 23, line 25 to page 25, line 19 with respect to claim 43 and page 23, lines 3-22 with respect to Claim 56).

Applicants respectfully submit that independent Claims 32 and 43, corresponding to cancelled Claims 28 and 31, are allowable over the applied references for the following reasons.

Applicants submit that O'Brien and SLED taken alone or in combination fail to teach or suggest a method for providing purchasing incentives consumers over a computer network comprising generating page data defining a personal page; determining a purchase incentive depending on (1) product data stored in a purchase history database and (2) the page data; and

updating the page data so that the personal page will display the purchase incentive, as recited in independent Claim 32.

In contrast, O'Brien et al merely teach providing discount coupons to consumers in a retail environment. O'Brien et al fail to teach or suggest the above-noted features as recited in Claim 32.

Similarly, although SLED teaches a directory for obtaining electronic coupons via e-mail which includes connecting to a directory via the Internet, SLED fails to teach or suggest the above-noted features as recited in Claim 32.

As the present Office Action properly notes, neither of the applied references teach establishing a personal page. The present Office Action takes Official Notice that the concept of establishing a personal page containing information about incentives directed specifically to a consumer associated with the page is old and well known in the art. However, Applicants request the Examiner to provide prior art references which teach this concept with respect to Applicants' priority date.

In addition, Applicants submit that Applicants' invention is not merely establishing a personal page, but rather establishing a personal page as part of a method for providing purchasing incentives to consumers over a computer network. The present Office Action further asserts that it would have been obvious to combine O'Brien et al, SLED, and a teaching of establishing a personal page containing information about incentives directed specifically to a consumer associated with the page, because the Internet will cover a broader range of distribution. Apart from citing any reference providing such motivation or a teaching of establishing a personal page containing information about incentives directed specifically to a consumer associated with the page, Applicants submit that there are

numerous ways to cover a broader range of distribution, such as e-mail, mass marketing, mass mailings, etc. The present Office Action has failed to show why one of ordinary skill in the art at the time of Applicants' invention would be motivated to establish a personal page, as part of a method for distributing/providing purchasing incentives to retail consumers over a computer network, from the numerous ways to cover a broader range of distribution, based on O'Brien et al, SLED, and a teaching of establishing a personal page.

Applicants submit that the method as recited in Claim 32 advantageously provides an improved method of providing purchasing incentives as compared to conventional methods.

Applicants submit that the noted features as recited in Claim 32 are not taught by O'Brien et al, SLED, and any reference merely teaching establishing a personal page, taken alone or in combination, except for hindsight reconstruction of Applicants' invention based on Applicants' disclosure.

Applicants submit that O'Brien and SLED taken alone or in combination fail to teach or suggest a method for distributing purchasing incentives to consumers over a computer network comprising transmitting token data from a main computer to a personal computer over a computer network; identifying the token data in a retail store in association with items being purchased; determining discount items being purchased corresponding to at least one product discount from the identified token data; and generating a purchase incentive that provides a cash discount, the cash discount based on the discount items, as recited in independent Claim 43.

In contrast, O'Brien et al merely teach providing discount coupons to consumers in a retail environment. O'Brien et al fail to teach or suggest the above-noted features as recited in Claim 43.

Similarly, although SLED teaches a directory for obtaining encrypted electronic coupons via e-mail which includes connecting to a directory via the Internet, SLED fails to teach or suggest the above-noted features as recited in Claim 43.

The present Office Action asserts that O'Brien et al teach at, column 9, lines 13-18, generating at a retail store a voucher that provides a cash discount to a consumer, the cash discount being a total of all verified item discounts selected by the consumer. However, Applicants note that this cited text merely relates to a data gathering step in which purchases of triggering items are recorded for possible later use or for printing discount coupons or certificates (column 9, lines 13-31). As clearly noted at page 23, line 25 to page 25, line 19 of Applicants' disclosure, the present invention employs a token and voucher (claimed "token" and "purchasing incentive") system to deter fraud related to directly printing discount coupons at a consumer's terminal. Applicants submit that O'Brien et al fail to teach or suggest transmitting token data from a main computer to a personal computer over a computer network; identifying the token data in a retail store in association with items being purchased; determining discount items being purchased corresponding to at least one product discount from the identified token data; and generating a purchase incentive that provides a cash discount, the cash discount based on the discount items, as recited in independent Claim 43.

Similarly, although SLED teaches a directory for obtaining encrypted electronic coupons via the Internet, SLED fails to teach or suggest the above-noted features of the token voucher generation as recited in Claim 43.

As the present Office Action properly notes, neither of the applied references teach generating an instantly redeemable voucher. The present Office Action takes Official Notice

that the concept of generating an instantly redeemable voucher is old and well known in the art. However, Applicants request the Examiner to provide prior art references which teach this concept with respect to Applicants' priority date.

Applicants submit that the method as recited in Claim 43 advantageously deters fraud with respect to distributing purchasing incentives over a computer network as compared to conventional methods.

Applicants submit that O'Brien and SLED taken alone or in combination fail to teach or suggest the noted features as recited in Claims 32 and 43.

New Claim 56 has been added to recite a method for adding data identifying products purchased by a consumer in association with data uniquely identifying the consumer in a database. Applicants submit that no new matter is introduced (see, e.g., page 23, lines 3-16 of Applicants' disclosure).

In addition, new system and computer readable medium Claims 58-110 have been added corresponding to Claims 32, 43 and 56 and claims dependent therefrom. Applicants submit that no new matter is introduced. Applicants submit that the system and computer readable medium claims, corresponding to Claims 32, 43 and 56, are allowable for at least the reasons as set forth with respect to Claims 32, 43 and 56.

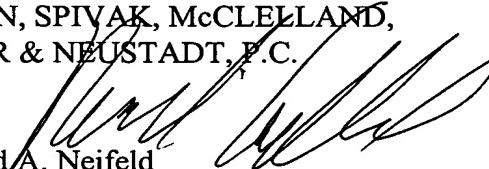
Based on the above discussion, the independent claims and claims dependent therefrom are patentably distinguishable over the applied references, alone or in combination.

Furthermore, submitted herewith is an IDS including the references "Cruising for food..." and "Click here for coupons" cited in an Office Action of commonly owned U.S. Patent Application. Applicants submit that the above-noted references do not teach or suggest Applicants' claimed invention.

Consequently, in view of the present amendment and remarks, an early and favorable action is respectfully requested.

Respectfully submitted,

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